

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Brenda Landwehr at 1:30 p.m. on March 18, 2009 in Room 784 of the Docking State Office Building.

All members were present.

Committee staff present:

Norm Furse, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Janet Grace, Committee Assistant

Conferees appearing before the Committee:
none

Others attending:
See attached list.

Action on **SB 25 - State-wide prohibition on smoking in indoor public areas.**

Representative Siegfried moved to report SB25 out adversely. Representative Neighbor seconded the motion.

Representative Schwab offered a substitute motion to table SB 25 to obtain more information. Representative Otto seconded the motion. The motion passed and the bill was tabled. A division vote was called; 11 yes, 7 no.

HB 2356 - Child care facilities; inspection. Revisor Norm Furse reviewed the bill and the changes. (Attachment 1)

Representative Crum moved to approve the amendments to HB 2356 found in Attachment 1. Representative Schwab seconded the motion. The motion carried.

Representative Schwab moved to report the bill favorably as amended. Representative Hermanson seconded the motion. Motion carried.

Action on **SB 147 - Department of Health and Environment; HIV screening for pregnant women and newborn children; rules and regulations.** Revisor Norm Furse, reviewed the bill and proposed amendments. (Attachment 2)

The Committee voiced concern about the assurance that the mother must sign a form that she received the information and she could opt out due to conflict of religious tenets and practices.

Representative Landwehr moved to adopt the above described amendment as recommended by the Committee. Representative Crum seconded the motion. The motion carried.

Representative Flaharty moved to accept the editorial amendment. (Attachment 2). Representative Neighbor seconded the motion. The motion carried.

Representative Ward moved to add \$1.2 million of the stimulus money to the SCHIP fund through KHPA.

Chairman Landwehr ruled his motion was out of order as those decisions regarding the stimulus funds would appear in the budget designed by the Appropriations Committee at Omnibus. She stated her reluctance to what would be viewed as an override unless so directed by leadership. It was not the responsibility of the Health and Human Services Committee to appropriate money. Representative Ward challenged the ruling by the Chair, leaving her two options: (a) a vote by the Committee to either support her ruling on the motion being out of order or the right of Representative Ward to make the motion; (b) adjourn the meeting.

A lengthy discussion was held by Committee members who cited incidents in recent legislation whereby the Health and Human Services Committee had requested funding for certain projects such as in SB11 and SB

CONTINUATION SHEET

Minutes of the House Health and Human Services Committee at 1:30 p.m. on , in Room 784 of the Docking State Office Building.

81 from the 2008 session. Reduced revenues in the state coffers and the more pressing problems for the really needy were discussed.

Representative Landwehr asked for a voice vote in which “yes” would mean supporting the ruling of the chair regarding the “out of order” decision; “no” would mean an override of the Chair and a forced vote on the use of stimulus money for SCHIP. When the vote was taken, the Chair declared the “yes” votes as being in the majority. Division was called: 10 yes; 8 no.

Representative Schwab moved to report **SB 147** as favorable for passage as amended. Motion seconded by Representative Siegfroid. Motion carried.

Representative Siegfroid moved for the approval of the minutes of February 11. The motion was seconded by Representative Slattery. Motion carried.

The meeting was adjourned at 2:41 p.m.

The next meeting is on call of the Chair.